IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(C).No. 15067 of 2007(R)

PETITIONER:

DOLLY K.JACOB, AGED 28 YEARS,
D/O.K.M.JACOB, KIDARATHIL HOUSE, PERUMPAIKKAL
P.O., KOTTAYAM, NOW WORKING AS HSST CHEMISTRY
(JUNIOR), ST.MICHAEL HIGHER SECONDARY SCHOOL,
KADUTHURUTHY.

BY ADV. SRI.BENOY THOMAS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, GENERAL EDUCATION DEPARTMENT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF HIGHER SECONDARY
EDUCATION, HOUSING BOARD BUILDINGS,
THIRUVANANTHAPURAM.

3. REGIONAL DEPUTY DIRECTOR OF HIGHER
SECONDARY EDUCATION, EDAPPALLY P.O., ERNAKULAM.

4. CORPORATE EDUCATIONAL AGENCY OF
SCHOOLS, REPRESENTED BY THE CORPORATE MANAGER,
ARCHEPARCHY OF KOTTAYAM, CATHOLIC METROPOLITAN'S
HOUSE, P.B.NO.71, KOTTAYAM-686 001.

BY GOVERNMENT PLEADER SMT.SUDHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

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W.P.(C)No.15067 OF 2007

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Dated this the 22nd day of June 2007

JUDGMENT

Petitioner is a Higher Secondary School Teacher (Junior) in Chemistry now working in St. Michael's Higher Secondary School, Kaduthuruty. He claims that he has been working in the school with effect from November 22, 2005 against a post which was sanctioned on May 14, 2002. It is further contended by the petitioner that appointment of two other teachers in the school had been approved. Those two teachers were appointed between May 14, 2002 and November 22, 2005. No post of HSST Chemistry (Junior) has been abolished prior to the appointment of the petitioner. But when the appointment of petitioner was forwarded for approval, it was refused to be approved as revealed from Ext.P5 order. The said order has been challenged by the petitioner in a revision filed before respondent no.1. Simultaneously, petitioner has also raised a contention that Ext.P6 Government Order (G.O.(MS)No.398/2002/G.Edn. dated, November 29, 2002) is contrary to the statutory provisions contained in the Kerala Education Rules.

2. I do not propose to deal with any of the above contentions at this stage, in view of the limited prayer made by the learned counsel for the petitioner at the Bar. He submits that petitioner will be satisfied, if a direction is issued to respondent no.1 to take a decision on Ext.P9 revision petition expeditiously. Learned Government Pleader submits that if Ext.P9 has been preferred as contended by the petitioner, an appropriate decision thereon will be taken without any delay.

3. In the above facts and circumstances, the writ petition is disposed of with a direction to respondent no.1 to consider and pass orders on Ext.P9 strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this judgment. Needless to mention that petitioner shall be afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.1 for compliance.

Writ petition is disposed of as above.

(A.K.BASHEER, JUDGE)

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